

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

THE UNITED STATES for the use of )  
GMW Fire Protection, Inc., an Alaska )  
Corporation, )

Plaintiff, )

vs. )

KANAG'IQ CONSTRUCTION CO., )  
INC., an Alaska Corporation, and )  
WESTERN SURETY COMPANY, a )  
South Dakota Corporation, )

Defendants. )

Case No. 3:05-CV-00170 (TMB)

**MOTION AND MEMORANDUM FOR STAY OF EXECUTION OF JUDGMENT**

Pursuant to Federal Civil Rule 62(b)(3), Defendants, KANAG'IQ CONSTRUCTION CO., INC. and WESTERN SURETY COMPANY, by and through their attorneys, Eide & Gingras, P.C., request that the Court stay any execution of judgment until the resolution of its pending Motion to Alter or Amend a Judgment re Joint and Several Liability. [Docket No. 206]

On August 26, 2008, Defendants filed their Motion to Alter or Amend a Judgment based on an error in the judgment regarding joint and several liability. [Docket No. 192-2] The Court's decision on that may affect the judgment against Defendants. Absent an order from the Court granting a stay of execution of the judgment until the pending motion is

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1 ruled upon, Plaintiff may otherwise proceed to execute against an erroneous judgment as  
2 of tomorrow, August 28, 2008.

3 Therefore, Defendants respectfully request the Court to stay any execution of  
4 judgment until the Court rules upon the pending motion before it. Because of the time  
5 constraint described above, Defendants further request a decision by the close of business  
6 today, or as soon thereafter as possible.  
7

8 DATED at Anchorage, Alaska this 27th day of August, 2008.

9 EIDE & GINGRAS, P.C.  
10 Attorneys for Defendants  
11 Kanag'Iq Construction Co., Inc. and  
Western Surety Company

12 By: s/Laura S. Gould  
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19 Alaska Bar No. 0310042

20 CERTIFICATE OF SERVICE

21 I am a legal secretary employed by the law  
22 firm of Eide & Gingras, P.C. That on this  
23 27th day of August, 2008, I served

24 [x] Electronically

25 a true and accurate copy of the foregoing  
document upon the following counsel of record:

Sarah J. Tugman, Esq.  
2509 Eide Street, Suite 4  
Anchorage, AK 99503

EIDE & GINGRAS, P.C.

By: /s/Donna Charter

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